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Filing date: **11/28/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91162078
Party	Defendant Harbro, LLC Harbro, LLC 3154 Skyview Court Brighton, MI 48114
Correspondence Address	Timothy A. Flory Van Dyke, Gardner, Linn & Burkhart, LLP 2851 Charlevoix Dr., S.E. P.O. Box 88869 Grand Rapids, MI 49588-8695 linn@vglb.com
Submission	Defendant's Notice of Reliance
Filer's Name	Terence J. Linn
Filer's e-mail	linn@vglb.com
Signature	/Terence J. Linn/
Date	11/28/2005
Attachments	Notice of Reliance.pdf (2 pages) Exhibit H.pdf (1 page) Exhibit I.pdf (1 page) Exhibit J.pdf (1 page) Exhibit K.pdf (1 page)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE UNITED STATES PLAYING)	
CARD COMPANY)	
)	
Opposer,)	Opposition No. 91162078
)	
v.)	Serial No. 78/253,725
)	
HARBRO, LLC,)	
)	
Applicant.)	

NOTICE OF RELIANCE

As required by 32 C.F.R. §2.122 and the Trademark Trial and Appeal Board Manual of Procedure (TBMP) Section 704.02, this Notice of Reliance serves to notify the opposing party, The United States Playing Card Company, that Harbro, LLC. intends to rely on the materials hereunder in support of its case. All of these materials are registrations previously issued by the United States Patent and Trademark Office.

Applicant makes of record the following registrations:

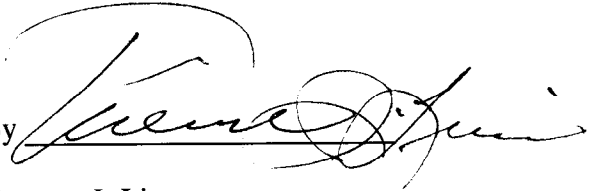
Registration No.	Mark	Class
1,189,273	TAHOE	16
726,940	NEVADA	U.S. Class 22, now 16
401,715	CLUB RENO	U.S. Class 22, now 16
172,312	BROADWAY	U.S. Class 22, now 16

The above registrations are all on point and will be relied on to show that a number of marks comprising words that are geographical locations, including locations at which gambling takes place, have been previously registered by Opposer, Opposer's predecessor in interest, and others in the United States Patent and Trademark Office for playing cards. These prior registrations are probative that a geographic location is not geographically descriptive or misdescriptive of playing cards.

Copies of each of the registrations noted are attached hereto as Exhibit A.

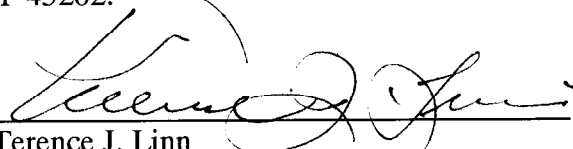
Harbro, LLC.

By


Terence J. Linn
Timothy A. Flory
VAN DYKE, GARDNER,
LINN & BURKHART, LLP
2851 Charlevoix Drive SE Ste 207
PO Box 888695
Grand Rapids, Michigan 49588-8695

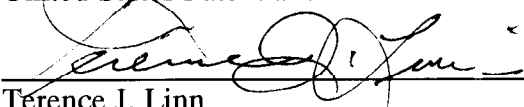
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed by First Class Mail, postage prepaid, on the 28th day of November, 2005 to Lynda E. Roesch, Dinsmore & Shohl, LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202.


Terence J. Linn

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by electronic mail to the United States Patent and Trademark Office on the date shown below.


Terence J. Linn

11/28/05
(Date)

Int. Cl.: 16

Prior U.S. Cl.: 22

United States Patent and Trademark Office

Reg. No. 1,189,273

Registered Feb. 9, 1982

**TRADEMARK
Principal Register**

TAHOE

**Regensteiner Publishing Enterprises, Inc. (Illinois
corporation)
1224 W. Van Buren St.
Chicago, Ill. 60607**

**For: PLAYING CARDS, in CLASS 16 (U.S. Cl.
22).**

First use 1975; in commerce 1975.

Ser. No. 265,264, filed Jun. 6, 1980.

J. H. WEBB, Primary Examiner

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H**

United States Patent Office

726,940

Registered Jan. 30, 1962

AFFIDAVIT SEC. 8
ACCEPTED

PRINCIPAL REGISTER
Trademark

AFFIDAVIT SEC 15
RECEIVED 3-14-67

Ser. No. 117,662, filed Apr. 11, 1961

NEVADA

The United States Playing Card Company (Ohio cor-
poration)
East Norwood
Cincinnati 12, Ohio

For: PLAYING CARDS, in CLASS 22.
First used Mar. 29, 1961; in commerce Mar. 29, 1961.

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Registered June 1, 1943

PUBLISHED
Under Sec. 12 (c) 1946 Act

10-7-69
REGENSTEINER PUBLISHING
ENTERPRISES, INC.
CHICAGO, ILL.

Trade-Mark 401,715

RENEWED

UNITED STATES PATENT OFFICE

Arcco Playing Card Co., Chicago, Ill.

Act of February 20, 1905

Application January 25, 1943, Serial No. 458,144

CLUB RENO

STATEMENT

To the Commissioner of Patents:

Arcco Playing Card Co., a corporation duly organized under the laws of the State of Illinois, and located at Chicago, Illinois, and doing business at 310 South Racine Avenue, Chicago, Cook County, Illinois, has adopted and used the trade-mark shown in the accompanying drawing, for PLAYING CARDS, Class 22, Games, toys, and sporting goods, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905, as amended.

The trade-mark has been continuously used and applied to said goods in applicant's business since October, 1939.

The trade-mark is applied to the goods and to the containers thereof by imprinting the same thereon.

For the purpose of this application and without disclaiming any common law rights in the presented trade-mark, applicant disclaims exclusive right to use of "Reno" apart from the mark as shown.

The undersigned hereby appoints John F. Brezina, attorney-at-law, registered No. 13,122, of 130 North Wells St., Chicago, Illinois, its attorney to prosecute this application for trade-mark registration, with full power of substitution and revocation, to make all amendments therein, to sign the drawing, to receive the certificate of registration, and to transact all business in the Patent Office connected therewith.

ARRCO PLAYING CARD CO.
By T. REGENSTEINER,
Its President

UNITED STATES PLAYING CARD CO.
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PUBLISHED
Under Sec. 12 (c) 1946 Act DEC 4 1962
Registered Aug. 28, 1923.

Trade-Mark 172,312

SECOND RENEWAL

172,312. BROADWAY. PLAYING CARDS. Registered August 28, 1923. RUSSELL PLAYING CARD CO., MILLTOWN, N. J. Renewed August 28, 1943, to The United States Playing Card Company, East Newark, Cincinnati, Ohio, a corporation of Ohio, assignee.

AFFIDAVIT SEC. 8
ACCEPTED

AFFIDAVIT SEC. 15
RECEIVED 1-2-68

UNITED STATES PATENT OFFICE.

RUSSELL PLAYING CARD CO. OF MILLTOWN, NEW JERSEY.

ACT OF FEBRUARY 20, 1905.

Application filed February 12, 1923. Serial No. 175,948.

Broadway

STATEMENT.

To all whom it may concern:

Be it known that Russell Playing Card Co., a corporation duly organized under the laws of the State of New Jersey, and located in Milltown, county of Middlesex, in said State, has adopted and used the trade-mark shown in the accompanying drawing, for PLAYING CARDS, in Class 22, Games, toys, and sporting goods.

The trade-mark has been continuously used in the business of said corporation (and in

the business of its predecessor, Kalamazoo Paper Box & Card Co., of Kalamazoo, Michigan, whose name was later changed to Kalamazoo Playing Card Co.), since the year 1904.

The trade-mark is applied or affixed to the tuck boxes containing the cards by printing the trade-mark thereon.

RUSSELL PLAYING CARD CO.,
By BENJ. ROSENTHAL,
President

UNITED STATES PLAYING CARD CO.
v. HARBRO LLC
No. 91162078
APPLICANT'S EXHIBIT
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